

such as rifles and ammunition. These were to be liable to capture by a belligerent if their destination could be shown to be territory belonging to, or occupied by, the enemy, or to be in aid of the armed forces of the enemy. And this practice remained unaffected whether the goods were conveyed direct to the enemy's territory in the vessel in which they were discovered, or whether they were to be transhipped or to be landed at a neutral port for conveyance overland to their hostile destination. *Conditional Contraband* (No. 2) comprised articles which were susceptible of either warlike or peaceful service. Such articles become contraband if they were destined for the armed forces or for a government department of an enemy; but they were excluded from contraband if intended for the civil population of the belligerent country. The most essential of such articles from our point of view were obviously foodstuffs. Conditional contraband was not subject to capture except when found on board a vessel actually bound for an enemy's territory or for his armed forces, and when it was not to be discharged at an intervening neutral port. The Declaration introduced (No. 3) a *Free List*, i.e. a number of articles which might not in any case be declared contraband.

It had hitherto been the practice, it may be interpolated, of the nations of Europe, when war had been declared, to publish lists of articles which they would regard as absolute or conditional contraband, and to vary these lists from time to time. Now, unhappily, the original Declaration of London —[never before, remember, ratified by Parliament, but now, for the first time (in August 1914), adopted by our Government as its guide]—specified in its *free* schedule the article of *metallic ores*, which might accordingly be conveyed freely to and from the ports of belligerents in neutral vessels. Our official adoption of this Declaration was unilateral only (as it is termed) and was not a ratification of the Declaration itself—being thus a declaration simply of Great Britain's views upon the subject. Hence no mutual contract with other countries was involved: still the remembrance of the primary contents of that Declaration remained in the minds of neutrals.

[The occasion of this position thus happened: the former Government of the day (when the Declaration had been framed